

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In The Matter of)
Allocations of Spectrum Below) ET Docket No. 94-32
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To: The Commission

**REPLY COMMENTS
OF
SR TELECOM INC.**

SR Telecom, Inc. ("SRT"), pursuant to Section 1.415 of the Rules and Regulations of the Federal Communications Commission ("FCC" or "Commission") hereby respectfully submits these Reply Comments in response to the Comments filed with the Commission in the instant proceeding on December 19, 1994 that addressed issues raised in the Commission's Notice of Proposed Rule Making ("Notice").^{1/}

I. PRELIMINARY STATEMENT

1. SRT is a Canadian manufacturer of digital point-to-multipoint equipment employed internationally to provide wireless, fixed telephone subscriber service, as

^{1/} 59 Fed. Reg. 59393 (November 17, 1994). The date set for filing these Reply Comments was extended from January 3 to January 6, 1995 by the Chief, Office of Engineering and Technology (released December 28, 1994).

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well as Supervisory Control and Data Acquisition ("SCADA") transport for industrial uses. The basis of SRT's interest in the spectrum allocation proposed in this proceeding was fully explored in its Comments. Accordingly, it will not burden this record with a repetition of the grounds for its continuing participation in this matter.

2. SRT urged the Commission in its Comments to promptly allocate and pair the frequency bands 2390-2400/2300-2310 MHz for wireless loop and compatible services. The Commission was also urged in our Comments to not artificially limit use of this spectrum in terms of the number of subscribers that may be served or the geographic area over which such systems may be deployed. While we described in some detail the manner in which our central station, subscriber outstation, and repeater stations operate,^{2/} SRT urged the Commission to adopt flexible technical rules to permit licensees the freedom to choose their own channelization, signal strength, modulation technique, and antenna characteristics, so long as those choices caused no interference to other users. While the Commission received Comments urging dedication of portions of this spectrum for a variety of uses, SRT is very

^{2/} SRT Comments at pp. 7-8.

encouraged by the number of participants that urged the FCC to pair the band 2390-2400 MHz with 2300-2310 MHz for wireless loop and similar services.

II. REPLY COMMENTS

3. SRT reiterates its strong support for pairing the frequency bands 2390-2400 MHz with 2300-2310 MHz. Numerous other parties registered their support this type of allocation for wireless loop services.^{3/} Various parties referred to employing this paired spectrum for "wireless loop services" or "wireless local loop services". To the extent that use of the term "local loop" suggests a local service concept, for example, from the pedestal to a residence, SRT strongly urges the Commission to reject such a restrictive concept. U.S. West described in its Comments trial systems that it hopes to deploy soon in both urban and rural environments. Obviously, restricting use of the paired bands to exclusive wireless local loop applications would prohibit such advances as those perceived by U.S. West for extreme rural regions in New Mexico and fast-growing

^{3/} For example, see Comments of Bell Atlantic, Leaco Rural Telephone Cooperative, Inc. ("Leaco"), NYNEX Telephone Company, Rochester Telephone Corporation ("Rochester Tel"), Southwestern Bell Telephone Company ("Southwestern Bell"), TDS Telecommunications Corp., U.S. West Communications, Inc. ("U.S. West"), and United States Telephone Association.

suburban areas in Colorado. Leaco also strongly supported use of this spectrum to serve its rural customer base. Additionally, U.S. West discussed the economies it expects to realize from utilizing this technology for the replacement of aging cable plants.

4. Numerous local exchange carriers are faced with service orders that they have been unable to meet. There are large areas of the United States which are not currently served with exchange service; but, as Leaco explained, these deficiencies can be addressed positively with the allocation of these paired bands for wireless loop services. Allocation of these bands for wireless loop, among other compatible services, will make a significant contribution to true universal telephone service.

5. Based on SRT's experience with its point-to-multipoint Time Division Multiple Access ("TDMA") installations that serve hundreds of thousands of subscribers in over 75 countries, it has intimate knowledge that applications for wireless distribution and subscriber services meet demand in both urban and suburban areas, as well as in rural regions. To construct rules for use of the bands 2300-2310/2390-2400 MHz that geographically restrict its use is analogous to denying motor vehicle passage

throughout portions of the country. There simply are no rational grounds upon which to limit this technology on a geographic basis.

6. SRT also reiterates its support for the adoption of flexible technical rules as a means of paving the way for the introduction of new technologies with the application of sound engineering practices. We urge the Commission to adopt rules that will permit the use of all available technologies, by allowing licensees to utilize this spectrum with equipment that best suits their needs. The final rules should allow for the use of customized channelization, signal strengths, modulation techniques, and antenna characteristics -- provided that such flexibility does not create interference for other spectrum users.

7. SRT supports the concept advanced by Southwestern Bell, Rochester Tel, Bell Atlantic, and Leaco for partitioning Basic Trading Areas ("BTAs") to permit more effective use of this spectrum. Alternatively, we urge the Commission, as did U.S. West, Leaco, and the American Petroleum Institute, to permit licensees in this allocation to sublease or license spectrum to others for use in areas where the FCC licensees have no needs. We believe that

implementation of this concept will clearly serve the public interest by maximizing use of valuable radio spectrum.

8. Finally, we were particularly interested in the Comments of those parties that seek allocation of this spectrum for additional mobile satellite service ("MSS") facilities and airline audio and video services ("AAVS"). We were not convinced in either case, however, that such an allocation would be in the public's interest primarily because of the large amount of spectrum already dedicated for MSS and the conclusion that this spectrum can be put to much more intensive use for wireless loop services than to provide in-flight entertainment options that are already made available through the use of other medium.

III. CONCLUSION

9. SRT urges the Federal Communications Commission to allocate the band 2390-2400 MHz and to also accelerate allocation of the band 2300-2310 MHz so that the two may be paired and dedicated for wireless loop and compatible services. We urge the Commission to forego adopting any rules that would limit the geography and number of subscribers that could be served, and to adopt technical rules that provide maximum flexibility to permit the

introduction of new technologies and future services. The Commission is also urged to encourage widespread use of this spectrum by permitting its sublicensing or leasing in areas where it might otherwise lie fallow. Requests for allocation of this spectrum for services that do not support its full utilization should be rejected.

WHEREFORE, THE PREMISES CONSIDERED, SR Telecom Inc. respectfully submits the foregoing Reply Comments and urges the Federal Communications Commission to proceed in this matter in a manner consistent with these views.

Respectfully submitted,

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